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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

WHIPPLE, BRIAN P

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/633,555	Applicant(s) OHNO ET AL.	
	Examiner BRIAN P. WHIPPLE	Art Unit 2452	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11,13 and 14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11,13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 3-11, and 13-14 are pending in this application and presented for examination.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/2/10 has been entered.

Response to Arguments

3. Applicant's arguments with respect to claims 1, 3-11, and 13-14 have been considered, but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a

person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-11, and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugano et al. (Sugano), U.S. Patent No. 6,205,478 B1, in view of Olivier, U.S. Patent No. 6,480,885 B1.

6. As to claim 1, Sugano discloses a client administration method of administering a group of clients (Abstract, ln. 1-3), each client providing presence information (Col. 7, ln. 47-49), the method comprising:

accepting a setting of presence information of the clients including a first client, and storing the presence information on a client by client basis (Col. 7, ln. 40-43 and 47-49; Col. 19, ln. 2-6);

storing a watcher list for each of clients in the clients group (Col. 24, ln. 37-43; Col. 27, ln. 55-66; Col. 29, ln. 20-23 and 34-36), the watcher list correlating at least one identifier of a watcher client with an identifier of a client owning the watcher list (Col. 16, ln. 28-30; Col. 24, ln. 37-43; Col. 27, ln. 55-66; Col. 29, ln. 20-23 and 34-36), each watcher client being provided with the presence information of a client owning the watcher list (Col. 18, ln. 65 – Col. 19, ln. 2; Col. 24, ln. 37-43; Col. 27, ln. 55-66; Col. 29, ln. 20-23 and 34-36);

accepting a change of an identifier of the first client (Fig. 2, item 7; Col. 19, ln. 12-25);

selecting watcher clients of the first client as one or more identifier notification recipients according to the change of the identifier of the first client (Fig. 2, item 7; Col. 19, ln. 12-25; Col. 23, ln. 36-43);

replacing, in a watcher list of the first client, an old identifier of the first client with a new identifier, and replacing identifiers of all watcher clients with one or more identifiers of the selected notification recipients (Col. 22, ln. 19-22; Col. 24, ln. 37-43; Col. 27, ln. 55-66; Col. 29, ln. 20-23 and 34-36), and

transmitting a new identifier of the first client to one or more selected identifier notification recipients (Col. 22, ln. 6-18; Col. 23, ln. 36-43).

Sugano is silent on selecting a part of (emphasis added) watcher clients of the first client.

However, Olivier discloses selecting a part of watcher clients of a first client (Abstract, ln. 1-3 and 9-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Sugano by selecting a part of watcher clients of the first client as taught by Olivier in order to provide users with greater control over transmission of electronic communications (thereby enabling a higher quality of interpersonal contact), create personalized and tunable groups, and reduce the quantity of unwanted electronic communications (Olivier: Col. 1, ln. 47, 51-52, and 59-61; Col. 3, ln. 37-54).

7. As to claim 3, Sugano and Olivier disclose the invention substantially as in parent claim 1, further comprising:

storing identifiers of subscriber clients so that each subscriber client is associated with at least one client that provides the presence information thereto, the subscriber client being provided with the presence information of at least one client of the clients group (Sugano:

Col. 7, ln. 47-49; Col. 16, ln. 28-30; Col. 18, ln. 65-67; Col. 19, ln. 1-2; Col. 27, ln. 55-66); and

extracting a client to be an identifier notification recipient, the client being both a watcher client of the first client and a subscriber client of the first client (Sugano: Col. 23, ln. 36-43).

8. As to claim 4, Sugano and Olivier disclose the invention substantially as in parent claim 1, further comprising:

notifying the first client's watcher client of new presence information according to the setting of the presence information (Sugano: Col. 7, ln. 47-49; Col. 26, ln. 12-41);

storing a notification history of the presence information (Sugano: Col. 9, ln. 25-29; Col. 22, ln. 65-67; Col. 23, ln. 1-3); and

said selecting including extracting at least one of a plurality of watcher clients of the first client based on the notification history, and deciding to be one or more identifier

notification recipients (Sugano: Col. 18, ln. 10-14; Col. 19, ln. 12-25; an update notification is transmitted to each of the user terminals corresponding to receiving users who previously received a corresponding transmitted UIO; transmitting based on previous recipients is an extraction step based on notification history).

9. As to claim 5, Sugano and Olivier disclose the invention substantially as in parent claim 1, further comprising:

administering distribution of text messages exchanged between the clients (Sugano: Fig. 3; Col. 21, ln. 39-48);

storing a distribution history of distributed text messages (Sugano: Fig. 3; Fig. 4; Col. 9, ln. 25-29; Col. 18, ln. 10-14; Col. 22, ln. 65-67; Col. 23, ln. 1-3); and

said selecting including extracting at least one of a plurality of watcher clients of the first client based on the distribution history, and deciding to be one or more identifier notification recipients (Sugano: Col. 18, ln. 10-14; transmitting based on previous recipients is an extraction step based on distribution history).

10. As to claim 6, Sugano and Olivier disclose the invention substantially as in parent claim 1, wherein:

said storing of the presence information of the clients includes associating the presence information with an access level, the access level limiting notification recipients of the presence information of the clients (Sugano: Col. 19, ln. 63-67; Col. 20, ln. 1-15);

the access level of each watcher client (Sugano: Col. 19, ln. 63-67; Col. 20, ln. 1-5) is stored; and

a portion of a plurality of watcher clients of the first client is determined to be the identifier notification recipients based on the access level of each watcher client (Sugano: Col. 20, ln. 30-61; Level 5 users are not issued a UIO and no items are accessible).

11. As to claim 7, Sugano and Olivier disclose the invention substantially as in parent claim 1, comprising:

transmitting display data for displaying the change of the identifier of the first client to one or more identifier notification recipients (Sugano: Col. 25, ln. 19-36).

12. As to claim 8, Sugano and Olivier disclose the invention substantially as in parent claim 1, comprising:

transmitting attribute information related to the change of the identifier of the first client to one or more identifier notification recipients (Sugano: Fig. 3; Col. 22, ln. 6-18).

13. As to claim 9, Sugano and Olivier disclose the invention substantially as in parent claim 8, comprising:

accepting registration of the attribute information (Sugano: Col. 22, ln. 19-22).

14. As to claims 10-11 and 13-14, the claims are rejected for reasons similar to claim 1 above.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See the Notice of References Cited (PTO-892).

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN P. WHIPPLE whose telephone number is (571)270-1244. The examiner can normally be reached on Mon-Fri (8:30 AM to 5:00 PM EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on 571-272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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